

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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KEVIN DUNN, SR.,

Plaintiff,

v.

Case No. 07-CV-10434

B. MATATALL, LAWRENCE PORTER  
and CITY OF SOUTHFIELD.

Defendants.

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**ORDER STRIKING PLAINTIFF'S "MOTION FOR SUMMARY JUDGMENT"**

Plaintiff's October 19, 2007 "Motion for Summary Judgment" is untimely, being filed after the already-extended deadline of October 15, 2007 for the filing of dispositive motions. (9/13/07 Order Extending Deadlines at 1.)

Also, Plaintiff presumes to "adopt[]" the motion as his response to Defendants' properly filed October 15, 2007 "Motion for Summary Judgment" (Pl.'s SJ Mot. at 4 n.1.) in violation of the Local Rules of the United States District Court for the Eastern District of Michigan. Local Rule 7.1 requires that a party "opposing a motion must file a *response*" and not, as Plaintiff attempts, a counter-motion. E.D. Mich. LR 7.1(b) (emphasis added). Accordingly,

IT IS ORDERED that Plaintiff's "Motion for Summary Judgment" [Dkt. # 31] is STRICKEN from the court's docket.<sup>1</sup>

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: October 25, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 25, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522

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<sup>1</sup>Defendants' motion for summary judgment, accordingly, has not been responded to. The deadline for such a response, the court observes, is **November 5, 2007** and will not be further extended.